

**Notice of Allowability**

Application No.

10/782,268

Applicant(s)

TJOENG, FOE S.

Examiner

Art Unit

Jeffrey E. Russel

1654

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed January 17, 2006.
2. ☒ The allowed claim(s) is/are 1-19.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of the:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.  
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                  |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>20060213</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance                                    |
|   | 9. <input type="checkbox"/> Other _____  |

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Claims 6, 7, 15, and 16 have been amended as follows:

6. (Currently Amended) A method of conjugating an activated ester of polyethylene glycol (PEG) and a biologically active nucleophile, comprising the steps:
  - (a) activating PEG with N,N'-disuccinimidyl oxalate;
  - (b) providing the biologically active nucleophile; and
  - (c) reacting the PEG active ester and the biologically active nucleophile under appropriate conditions.
7. (Currently Amended) A method of conjugating a PEG-linker and a biologically active nucleophile, comprising the steps:
  - (a) activating PEG with N,N'-disuccinimidyl oxalate;
  - (b) providing a linker;
  - (c) reacting the PEG active ester with the linker; and
  - (d) reacting the resulting PEG-linker with a biologically active nucleophile under appropriate conditions.
15. (Currently Amended) A method of conjugating an activated ester of polyethylene glycol (PEG) and a biologically active nucleophile, comprising the steps:
  - (a) activating PEG with 1,1'-bis[6-(trifluoromethyl)benzotriazolyl] oxalate;

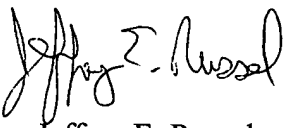
Art Unit: 1654

- (b) providing the biologically active nucleophile; and
  - (c) reacting the PEG active ester and the biologically active nucleophile under appropriate conditions.
16. (Currently Amended) A method of conjugating a PEG-linker and a biologically active nucleophile, comprising the steps:
- (a) activating PEG with 1,1'-bis[6-(trifluoromethyl)benzotriazolyl] oxalate;
  - (b) providing a linker;
  - (c) reacting the PEG active ester with the linker; and
  - (d) reacting the resulting PEG-linker with a biologically active nucleophile under appropriate conditions.

Authorization for this examiner's amendment was given in a telephone interview with Attorney S. Christopher Bauer on February 10, 2006.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey E. Russel at telephone number (571) 272-0969. The examiner can normally be reached on Monday-Thursday from 8:30 A.M. to 6:00 P.M. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Bruce Campell can be reached at (571) 272-0974. The fax number for formal communications to be entered into the record is (571) 273-8300; for informal communications such as proposed amendments, the fax number (571) 273-0969 can be used. The telephone number for the Technology Center 1600 receptionist is (571) 272-1600.

  
Jeffrey E. Russel  
Primary Patent Examiner  
Art Unit 1654

JRussel  
February 10, 2006